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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/563,261

05/26/2006

Fabio Corradini

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EXAMINER

BOYER, CHARLES I

ART UNIT

PAPER NUMBER

1796

MAIL DATE

DELIVERY MODE

02/12/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/563,261	Applicant(s) CORRADINI ET AL.	
	Examiner Charles I. Boyer	Art Unit 1796	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 January 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>1/4/06</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Before citing the references against the present claims, the examiner maintains that the present claims are broad to the point where a thorough search is impossible. Water softeners, i.e. builders, chelants, and sequestrants are ubiquitous in detergent compositions, and modes of delivery of detergents such as sachets, envelopes, pouches, bags, and nets are extremely common in the art. The examiner estimates that there are scores, if not hundreds of references that will anticipate at least present claim 1. To avoid an onerous action, the examiner has focused on what appears to be applicants' preferred embodiment, that is, cation exchange resins in a sachet. Note however, that even with this narrow focus, water softening through cation exchange is very well known and extremely common in laundry and dishwashing applications. Many automatic dishwashers, for example, have built-in water softening components utilizing

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cation exchange resins. Any of these commercially available dishwashing machines could be used to reject at least present claim 1. Any response from applicants to the references cited below that does not also address the fact that their claims are extremely broadly written, together with a clear statement of what applicants consider to be the novelty of their invention, will likely not be successful in rendering these claims allowable.

2. Claims 1-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Cornelius et al, US 2003/0183253.

Cornelius et al teach a method of cleaning household articles with a water insoluble calcium binder contained in a bag which is permeable to water (see abstract). An example of such a composition encloses a polyacrylate cloth (satisfies the cation exchange resin limitation) in a polypropylene container (satisfies the sachet limitation) which is used to soften water in a clothes washing machine (page 12, example 6). Note that it is well known that cation exchange resins swell when exposed to water. As this reference meets all material limitations of the claims at hand, the reference is anticipatory.

3. Claims 1-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Anderson, US 5,978,994.

Anderson teaches a device for use in a washing machine comprising a water permeable housing containing cation exchange resin beads (see abstract). The

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contents of the housing may be further retained in a mesh net (satisfies the sachet limitation). Note that it is well known that cation exchange resins swell when exposed to water. As this reference meets all material limitations of the claims at hand, the reference is anticipatory.

4. Claims 1-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Smolka, US 4,120,653.

Smolka teaches a method of machine washing of soiled fabrics comprising contacting the water with a water insoluble cation exchange polymer (see abstract). The polymer may be present in solid block form or as particles surrounded by a porous envelope or sleeve (satisfies the sachet limitation) (col. 4, lines 60-66). Note that it is well known that cation exchange resins swell when exposed to water. As this reference meets all material limitations of the claims at hand, the reference is anticipatory.

5. Claims 1-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Porta et al, US 2002/0055449.

Porta et al teach a water permeable and insoluble laundry sachet comprising a cation exchange resin water softener (see abstract and claims 1 and 14). Note that it is well known that cation exchange resins swell when exposed to water. As this reference meets all material limitations of the claims at hand, the reference is anticipatory.

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6. Claims 1-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Loeb et al, US 3,937,042.

Loeb et al teach a method for softeneing water in a clothes washer comprising contacting the water with a cation exchange resin contained in a synthetic fiber fabric (satisfies the sachet limitation) (see abstract). Note that it is well known that cation exchange resins swell when exposed to water. As this reference meets all material limitations of the claims at hand, the reference is anticipatory.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles I. Boyer whose telephone number is 571 272 1311. The examiner can normally be reached on M-Th 9:30 to 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Harold Pyon can be reached on 571 272 1498. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Charles I Boyer
Primary Examiner
Art Unit 1796

/Charles I Boyer/
Primary Examiner, Art Unit 1796